



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/663,915 | 09/17/2003 | Tokunori Kato | 117205 | 2636 |
| 25944 | 7590 | 01/23/2008 | EXAMINER | |
| OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850 | | | ANWAH, OLISA | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2614 | | |
| | | MAIL DATE | DELIVERY MODE | |
| | | 01/23/2008 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|-----------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/663,915 | KATO ET AL. |
| | Examiner | Art Unit |
| | Olisa Anwah | 2614 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 October 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1 is/are allowed.
- 6) Claim(s) 15, 16, 18, 21 and 22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15, 16, 18, 21 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sumner, U.S. Patent No. 6,091,947 (hereinafter Sumner).

Regarding claim 15, Sumner discloses a storing medium storing a control program of controlling an internet terminal, the control program comprising instructions for:

outputting a ring signal to an external telephone terminal (see unit 101 from Figure 1) via a control signal input/output terminal when a ring signal is received by a voice signal relaying unit, wherein the ring signal is received from another internet terminal (see unit 103 from Figure 1) via an internet (see unit 104 from Figure 1) and is not received from another telephone terminal that is not connected to another internet terminal;

determining whether a ring response signal is received via the control signal input/output terminal after having output the ring signal to the external telephone terminal, the ring response signal being output from the telephone terminal in response to the ring signal;

controlling the voice signal relaying unit to perform a relaying process for outputting voice signals received from the another internet terminal to the telephone terminal and outputting voice signals received from the telephone terminal to the another internet terminal when it is determined that the ring response signal has been received from the telephone terminal; and

outputting a predetermined outgoing message to the another internet terminal through the voice signal relaying unit and storing voice signals received by the voice signal relaying unit from the another internet terminal into a memory (see unit 306 from Figure 3) when it is determined that the ring response signal was not received from the telephone terminal, the outgoing message prompting a caller at the another internet terminal to leave a message (see Figure 4).

Regarding claim 16, see Figure 5.

Regarding claim 18, see Figure 5.

Regarding claim 21, Sumner discloses an internet terminal, comprising:

a voice signal input/output terminal via which voice signals are output to and input from an external telephone terminal including a communications transceiver;

a control signal input/output terminal via which control signals are output to and input from the telephone terminal;

a voice signal relaying unit that performs a relaying process for transmitting voice signals via the voice signal input/output terminal from the telephone terminal (see unit 101 from Figure 1) to another internet terminal (see unit 103 from Figure 1) via an internet (see unit 104 from Figure 1) and for outputting voice signals received from the another internet terminal via the internet to the telephone terminal via the voice signal input/output terminal;

a ring signal output unit that outputs a ring signal via the control signal input/output terminal to the telephone terminal when a ring signal for an internet call is received by the voice signal relaying unit from the another internet terminal via the internet;

a determining unit that determines whether a ring response signal is received via the control signal input/output terminal after the ring signal output unit has output the ring signal to the telephone terminal, the ring response signal being output from the telephone terminal in response to the ring signal;

a message output unit that outputs a predetermined outgoing message to the another internet terminal through the voice signal relaying unit, the outgoing message prompting a caller at the another internet terminal to leave a message;

a memory (see unit 306 from Figure 3) that stores voice signals received by the voice signal relaying unit from the another terminal;

a control unit that controls the voice signal relaying unit and the message output unit; and

a notifying unit that outputs a notification signal to the telephone terminal via the control signal input/output terminal, wherein

the control unit controls the voice signal relaying unit to perform the relaying process when the determining unit determines that the ring response signal has been received from the telephone terminal, and

the control unit controls the message output unit to output the outgoing message to the another internet terminal and stores voice signals received by the message signal relaying unit from the another internet terminal into the memory when the determining unit determines that the ring response signal was not received from the telephone terminal, and

the notifying unit outputs the notification signal when the voice signals from the another internet terminal are being stored in the memory, the notification signal notifying the presence of a voice message left by the another internet terminal (see Figures 4 and 5).

Regarding claim 22, Sumner discloses a storing medium storing a control program for controlling an internet terminal, the control program comprising instructions for:

outputting a ring signal to an external telephone terminal (see unit 101 from Figure 1) via a control signal input/output terminal when a ring signal for an internet call is received by a voice signal relaying unit from another internet terminal (see unit 103 from Figure 1) via an internet (see unit 104 from Figure 1);

determining whether a ring response signal is received via the control signal input/output terminal after having output the ring signal to the external telephone terminal, the ring response signal being output from the telephone terminal in response to the ring signal;

controlling the voice signal relaying unit to perform a relaying process for outputting voice signals received from the another internet terminal to the telephone terminal and outputting voice signals received from the telephone terminal to the another internet terminal when it is determined that the ring response signal has been received from the telephone terminal;

outputting a predetermined outgoing message to the another internet terminal through the voice signal relaying unit and storing voice signals received by the voice signal relaying unit from the another internet terminal into a memory (see unit 306 from Figure 3) when it is determined that the ring response signal was not received from the telephone terminal, the outgoing message prompting a caller at the another internet terminal to leave a message; and

outputting a notification signal to the telephone terminal via the control signal input/output terminal when the voice

signals from the another internet terminal are being stored in the memory, the notification signal notifying presence of a voice message left by the another internet terminal (see Figures 4 and 5).

Allowable Subject Matter

3. Because Sumner does not teach the voice signals are not input from the external telephone terminal to the voice signal input/output terminal when the voice signals are to be transmitted to another telephone terminal that is not connected to another internet terminal, claim 1 is allowed.

Response to Arguments

4. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah
Patent Examiner
January 14, 2008

Olisa Anwah